

EXHIBIT 5

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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

-----X)	
In re:)	Chapter 11
)	
CIRCUIT CITY STORES, INC., <i>et al.</i> ,)	Case No. 08-35653-KRH
)	
Debtors.)	Jointly Administered
)	Judge Kevin R. Huennekens
-----X		

**ORDER GRANTING MOTION OF ADVANCE REAL ESATE MANAGEMENT, LLC
FOR ALLOWANCE OF ADMINISTRATIVE EXPENSE
CLAIM AND FOR RELATED RELIEF**

This matter having come before the Court upon the Amended Motion and Supporting Memorandum of Advance Real Estate Management, LLC ("Advance") for an Order allowing Advance an administrative expense claim for the following: the unpaid Stub Rent owed to by the Debtor to Advance, totaling \$31,176.81, the real estate taxes owed as additional rent from the Petition Date through the Rejection Date, totaling \$29,871.47 and Advance's reasonable and actual attorneys' fees and costs incurred in preparing and prosecuting its motion in this case for rent and other sums owed by the Debtor under the Lease. The Court finds that (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334, (ii) this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (iii) proper and adequate notice of

the Motion and the opportunity for a hearing thereon has been given and no other or further notice is necessary, and (iv) good and sufficient cause exists for the granting of the relief requested in the Motion after having given due deliberation upon the Motion and the arguments presented at any hearing had thereupon. Therefore,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is **GRANTED**.
2. Unless otherwise defined herein each capitalized term shall have the meaning ascribed to it in the Motion.
3. Advance Real Estate Management, LLC is granted an administrative expense claim against the Debtor, Circuit City Store, Inc., for the following:
 - (a) the unpaid Stub Rent owed to by the Debtor to Advance, totaling \$31,176.81,
 - (b) the real estate taxes owed as additional rent from the Petition Date through the Rejection Date, totaling \$29,871.47, and
 - (c) Advance's reasonable and actual attorneys' fees and costs incurred in preparing and prosecuting its motion in this case for sums owed by the Debtor under the Lease, the amount of which shall be determined at a later hearing if necessary.
4. This Court retains jurisdiction to enforce and implement the terms and provisions of this Order and to resolve any and all disputes related thereto.

ENTERED in Richmond, Virginia, this ____ day of _____, 2009.

United States Bankruptcy Judge

I ASK FOR THIS:

/s/ Malcolm M. Mitchell, Jr.
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CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1 (C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing *Order* has been endorsed by or served upon all necessary parties.

/s/ Malcolm M. Mitchell, Jr.